

Filed for intro on _____
Senate Bill _____
By _____

House No. HB1072
By Walley

AN ACT to amend Tennessee Code Annotated, Sections 37-1-102 and 37-1-147, relative to termination of parental rights.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-1-147(b), is amended by deleting the second sentence; by designating the remaining language of the subsection as subdivision “(b)(1)”; and by adding the following new language, to be designated as subdivision “(b)(2)”:

(2) In the case of a child born out of wedlock, if the child has not been legitimated prior to the initiation of proceedings the natural father shall not be a necessary party nor shall he be entitled to notice unless he: (A) has filed an unrevoked notice of intent to claim paternity, an acknowledgment of paternity, or a certified copy of a court order establishing paternity with the putative father registry; (B) is recorded on the child's birth certificate; or (C) has filed a petition for legitimization in the county of the child's birth within one year of the child's birth after which there shall be an irrebuttable presumption that the child has been abandoned by the natural father.

SECTION 2. Tennessee Code Annotated, Section 37-1-102(b), is amended by deleting the language of sub-item (b)(1)(B)(ii) and by substituting instead the following:

(ii) A legal parent, who is incarcerated at the time a proceeding to terminate parental rights is filed, shall be given actual notice of a hearing, but notice to a putative

father shall not be required except as provided by Tennessee Code Annotated, Section 37-1-147(b)(2); and

SECTION 3. Tennessee Code Annotated, Section 37-1-102(b), is further amended by deleting sub-item (b)(1)(B)(iii).

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

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